

9244.3 Restoration of legal nonconforming buildings

Subject to all other regulations of this Chapter, a building destroyed to the extent of not more than seventy-five percent (75%) of its reasonable value by fire, explosion or other casualty or Act of God or the public enemy, may be restored and the occupancy of use of such building or part thereof which existed at the time of such partial destruction may be continued.

Exception: Single-family residential zones. When the site is legal-nonconforming based upon floor area ratio requirements in the R-M, R-O and R-1 zones, the following applies if the main dwelling unit is damaged or destroyed in excess of seventy-five percent (75%) by fire or other causes beyond the control of the owner:

1. If a building permit is issued within 3 years following damage or destruction, legal-nonconforming rights are maintained for floor area ratio and the main dwelling unit may be built to its original gross floor area; and
2. If a building permit is not issued within 3 years following damage or destruction, the legal-nonconforming rights shall be deemed to have terminated.